

Frederick County Department of Permits and Inspections
Required Enclosure/Barrier for Pools

This office has been advised that you are the responsible person(s) for the installation of the required enclosure/barrier to be placed around the pool upon completion. The 2009 Residential Code Section reads as follows:

AG105.1 Application.

The provisions of this chapter shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near-drownings by restricting access to swimming pools, spas and hot tubs.

AG105.2 Outdoor swimming pool.

An outdoor swimming pool, including an in-ground, aboveground or on-ground pool, hot tub or spa shall be surrounded by a barrier, which shall comply with the following:

- 1.) The top of the barrier shall be at least 48 inches (1219mm) above grade measured on the side of the barrier, which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier, which faces away from the swimming pool. Where the top of the pool structure is above grade such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches.
- 2.) Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.
- 3.) Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
- 4.) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1 3/4 inches (44mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches (44mm) in width.
- 5.) Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches (44mm) in width.
- 6.) Maximum mesh size for chain link fences shall be a 2 1/4-inch (57mm) square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not more than 1 3/4 inches (44mm).
- 7.) Where the barrier is composed of diagonal members, such as lattice fence, the maximum opening formed by the diagonal members shall not be more than 1 3/4 inches (44mm).
- 8.) Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches(1372mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:

8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches (76mm) below the top of the gate, and;

8.2. The gate and barrier shall have no opening greater than 1/2 inch (12.7mm) within 18 inches (457mm) of the release mechanism.

9.) Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:

9.1 The pool shall be equipped with a powered safety cover in compliance with ASTM F 1346; or;

9.2 Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning with the door and/or its screen, if present, are opened. The alarm shall be listed and *labeled* in accordance with UL 2017. The deactivation switch(es) shall be located at least 54 inches above the threshold of the door; or;

9.3 Other means of protection, such as self-closing doors with self-latching devices, which are approved by the governing body, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by Item 9.1 or 9.2 described above

10.) Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps:

10.1. The ladder or steps shall be capable of being secured, locked or removed to prevent access, or

10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section AG105.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102mm) sphere.

AG105.3 Indoor swimming pool.

Walls surrounding an indoor swimming pool shall comply with Section AG105.2, Item 9.

AG105.4 Prohibited locations.

Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb them.

AG105.5 Barrier exceptions.

Spas or hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section AG107, shall be exempt from the provisions of this appendix.